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#608

JAN 17 2008

MEMORANDUM Management Services Department - Council Memo No. MR08-079

DATE: JANUARY 17, 2008

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
RICH DLUGAS, ASSISTANT CITY MANAGER RD
DENNIS STRACHOTA, MANAGEMENT SERVICES DIRECTOR

FROM: SANDI RODENBECK, TAX AND LICENSE MANAGER

SUBJECT: NEW LICENSE SERIES 12 RESTAURANT LIQUOR LICENSE APPLICATION
DYLAN HUYNH, AGENT, HA NOI INC., DBA HA NOI PHO

RECOMMENDATION

Staff recommends Council forward a recommendation for approval of State Liquor License No. 12077328, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License, No. 115598 L12, for Dylan Huynh, Agent, Ha Noi Inc., dba Ha Noi Pho at 5865 W. Ray Rd., Suite #6.

DISCUSSION

The following application for a liquor license has been posted and published for hearing on December 13, 2007 at which time it was continued until January 17, 2008:

New License, Series 12, Restaurant Liquor License, for Dylan Huynh, Agent, Ha Noi Inc., dba Ha Noi Pho, at 5865 W. Ray Rd., Suite #6.

Consideration may be given to the applicant's personal qualifications and to the location.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The applicant's Use Permit through Planning and Development is also scheduled for this meeting.

PROPOSED MOTION

Move for recommendation to the State Department of Liquor Licenses and Control for approval of a Series 12, Restaurant Liquor License, for Ha Noi Inc., dba Ha Noi Pho, 5865 W. Ray Rd., Suite #6, and approval of the City of Chandler Liquor License.



dw

Attachments: Geographical Map - A
Site Layout - B

SECTION 16 Geographical Data: A SAMPLE FOR THIS SECTION IS PROVIDED ON THE NEXT PAGE.

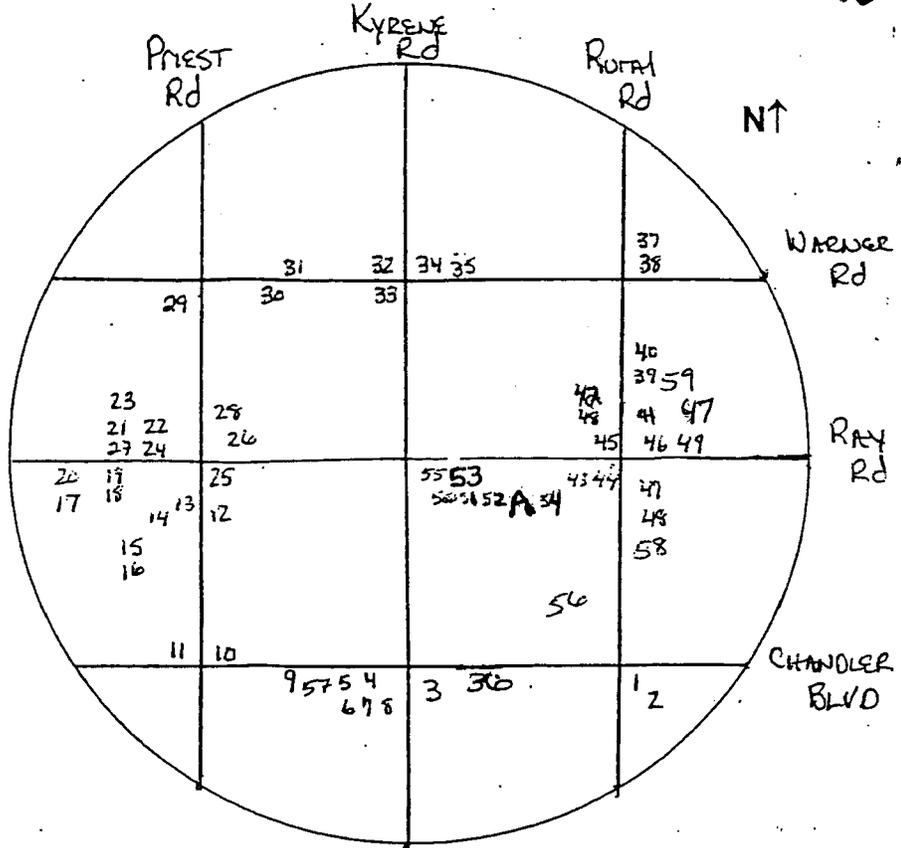
A.1052

List below the exact names of all churches, schools, and spirituous liquor outlets within a one mile radius of your proposed location. Ref.

A.R.S. 4-201 (B)

A. Ha No Pho

1. Walgreens
2. All Starz Sportsbar
3. CVS Pharmacy
4. Big Star BBQ
5. India Gate
6. Corvette Café & Lounge
7. Bashas'
8. Regal Beagle
9. The Detour Restaurant (Pending)
10. Circle K
11. Chevron / Foodmart
12. Valley Christian High School
13. AJ's Fine Foods
14. Tomaso's
15. Pei Wei
16. Jilly's
17. My Big Fat Greek Restaurant
18. Fleming's
19. Z-Tejas
20. TGI Friday's
21. Red Lobster
22. Bahama Breeze
23. Outback Steakhouse
24. Roy's
25. Circle K



ATTACH ADDITIONAL SHEET(S) IF NECESSARY

A = Your business name and identify cross streets.

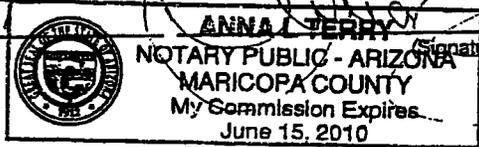
SECTION 17 Signature Block:

I, DYLAN HUYNH, declare that: 1) I am the APPLICANT (Owner, Agent, Partner, Stockholder (Print name of APPLICANT/AGENT listed in Section 4 Question 1) (10% or more), Member, Officer (10% or more ownership), or Club Member making this application; 2) I have read the application and the contents and all statements are true, correct and complete; 3) that this application is not being made to defraud or injure any creditor, taxing authority, regulatory authority, or transferor; 4) that no other person, firm, or corporation, except as indicated, has an interest in the spirituous liquor license for which these statements are made; and 5) that to the best of my knowledge and belief, none of the owners, partners, members, officers, directors or stockholders listed have been convicted of a felony in the past five (5) years.

X Dylan Huynh (Signature) State of ARIZONA County of MARICOPA
 The foregoing instrument was acknowledged before me this

11 day of Sept, 2007
 Day Month Year

My commission expires on: 06/15/10



Anna Terry (Signature of NOTARY PUBLIC)

Ans 2

26. Classic Market / Shell
27. StarMart (Tempe)
28. NYPD Pizza (Tempe)
29. Circle K
30. Quick Trip (Tempe)
31. Tilted Kilt (Tempe)
32. Chevron (Tempe)
33. 7-Eleven (Tempe)
34. Diamond Shamrock (Tempe)
35. Picazzo's Pizza (Tempe)
36. Wingstop
37. Barro's Pizza (Tempe)
38. Circle K (Tempe)
39. Corona del Sol High School (Tempe)
40. Arizona Community Church
41. Fry's
42. La Bella Pizza (Tempe)
43. Swaddee Thai Cuisine
44. Rubio's
45. Arco AM/PM (Tempe)
46. Mobil / On the Run
47. Dark Horse Sports Bar & Grill
48. Fry's (Tempe)
49. The Wild Hare
50. Streets of New York
51. Teakwoods Tavern
52. Copper Canyon Grill
53. Fresh & Easy Neighborhood Market
54. Chalos Casa Rynoso
55. Mido Sushi Inc.
56. Kyrene de las Miranda Elementary School
57. Brunswick Kyrene Lanes
58. Mi Sushi
59. Gandolfo's Deli

B

SECTION 14 Restaurant, or Hotel-Motel Applicants:

1. Is there a valid restaurant or hotel-motel liquor license at the proposed location? YES NO If yes, give licensee's name.

WONG SAE and license #: 12071360
Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. Section 4-203.01; and complete Section 5 of this application.

3. All restaurant applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor.

4. Do you understand that 40% of your gross revenue must be from food sales? YES NO

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check ALL boxes that apply to your licensed premises:

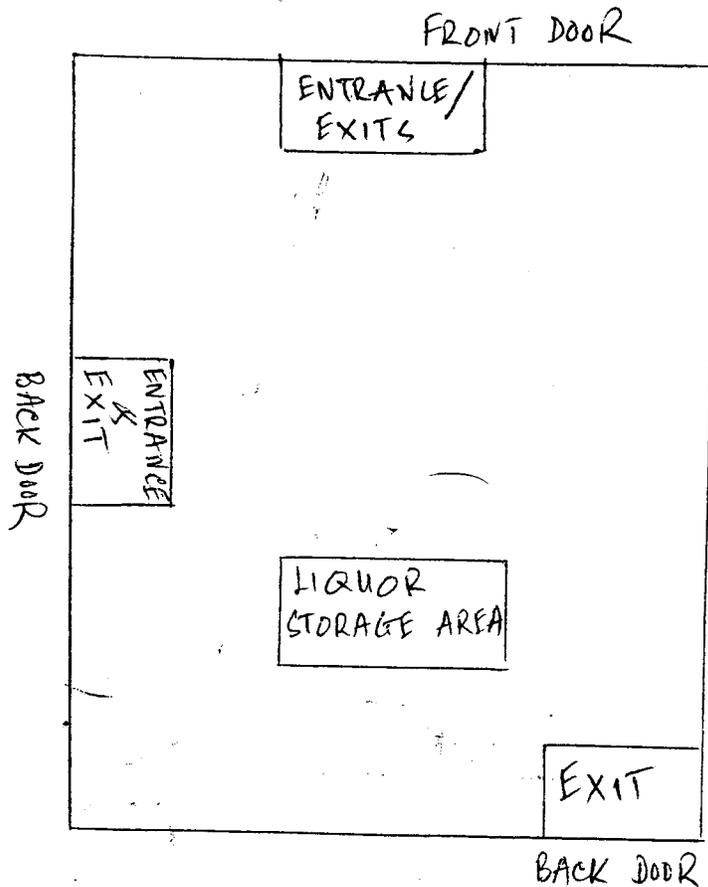
- Entrances/Exits
- Liquor storage areas
- Drive-in windows
- Patio enclosures
- Service windows
- Under construction: estimated completion date N/A

2. Restaurants and Hotel/Motel applicants must explicitly depict kitchen equipment and dining facilities.

3. The diagram below is the only area where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored. Give the square footage or outside dimensions of the licensed premises.

DO NOT INCLUDE PARKING LOTS, LIVING QUARTERS, ETC.

- square footage of premises
5,470 square feet



YOU MUST NOTIFY THE DEPARTMENT OF LIQUOR OF ANY CHANGES OF BOUNDARIES, ENTRANCES, EXITS, OR SERVICE WINDOWS MADE AFTER SUBMISSION OF THIS DIAGRAM.